

under title 42. How many of them are family units? How many have been released with a Notice to Report—this “turn yourself in to ICE” idea? How many of these individuals never report to ICE to commence their immigration court proceedings?

Most importantly, is the DHS following through on their stated intent to expel or remove these individuals? That would be real deterrence. That would discourage more people from coming.

But, if we find out that the administration and the Secretary have been lying to us—that instead of expelling these individuals they have been placing them into the interior of the United States, using this flawed catch-and-release approach—that is a serious problem. Transparency is key, and I hope we will have an opportunity to ask these questions under oath in the coming weeks.

I would also like to know if the administration plans to appeal Judge Sullivan’s ruling on the use of title 42. There is only about another week left before Judge Sullivan’s order saying that title 42 is no longer available kicks in.

It is important, especially while the pandemic is still upon us, that public health officials have this authority of title 42, because if title 42 isn’t available, the Border Patrol tells me they fear they will lose control entirely.

Title 42 has been important during the pandemic, and, as we know, the pandemic is not over.

Unless Judge Sullivan’s order is appealed and reversed, the U.S. Government will not be able to use this to expel most of the migrants, and there is no reason to believe that many people—particularly the cartels and others that benefit from illegal immigration—won’t try to ride off of Judge Sullivan’s most recent decision and obtain an injunction against the use of title 42.

Without title 42, we will once again face overcrowded processing centers and even greater humanitarian crises.

Unfortunately, the migrant surge is only a piece of the crisis in Del Rio. Those who depend on the ports of entry and the bridges at our U.S. international border are dying for lack of economic lifeline that that represents.

And so the Biden administration has been closing these ports of entry without regard for the impact on these border communities. President Biden can’t put the “Open the Border” sign out for illegal immigration, yet close the border for legitimate trade and travel. It defies common sense, and it is fundamentally unfair.

Well, there is so much more we could say, but the Biden administration can’t continue to enable these cartels or send signals to migrants encouraging them to come. This growing crisis isn’t fair to law enforcement and it isn’t fair to our border communities and it is not fair to the migrants.

We need a clear strategy from the administration that leads to results and

stops the humanitarian crisis on our own border.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that I be allowed to make a statement prior to the vote that is pending and that my full statement be allowed to be made prior to that.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOMINATIONS

Mr. MENENDEZ. Mr. President, you know, we are here at this—normally, Thursday night we wouldn’t be here under normal circumstances, but we are here because one Member of the Senate has determined to impede the entire national security infrastructure as it relates to the foreign policy of the United States.

What we do in the State Department and that which comes through the Committee on Foreign Relations has to do with the essential security of the United States. It is the Senate Foreign Relations Committee that has jurisdiction over global arms sales. It is the Senate Foreign Relations Committee that has jurisdiction over the use of force. It is the Senate Foreign Relations Committee that deals with treaties across the globe. It is the Senate Foreign Relations Committee that deals with the question of nuclear arms and proliferation and so much more.

And it is the State Department that perpetuates the national interests and security of the United States in its positions across the globe, both at home, in the first place, but across the globe.

Now, I have had plenty, over the course of 30 years of doing foreign policy work between the House and the Senate, and 16 years in the Senate—plenty of moments where I had a fundamental disagreement, a very strong one, with an administration about their policy, but I did not hold up the entire national security infrastructure of the State Department that puts at risk the Nation.

I hear all these speeches about security. You are putting at risk the Nation. Wouldn’t it be nice if we had some of the critical people—I just heard my colleague from Texas—in a position, beyond the Department of Homeland Security, to deal with the hemispheric challenges that we have on immigration in Central America, in Latin America?

The Haitians who are at the border today didn’t just come from the earthquake and disasters and assassination and hurricanes that have taken place. They have been in Latin America for quite some time. They have just made their way to the border. Wouldn’t it be nice if we had the people in place to deal—Ambassadors and others—to deal in those countries to find a way forward on how we humanely deal with that challenge?

Wouldn’t it be nice if we had the person in charge of East Asia and the Pacific to deal with our challenges with

China? This Senate came together a few months ago and said China is the single most significant national security challenge, the most significant strategic challenge we have in the world. And yet we have vacancies galore to deal with that very challenge.

I have Members who come to me and say: This company from my State is having problems with XYZ. Well, wouldn’t it be nice to be able to have an ambassador in that country to deal with the challenges of that American company or people who come to me and talk to me about their challenges in getting a loved one, somebody from their State, to be able to come? Our consular officers. Wouldn’t it be nice to have somebody in the position to deal with that?

Wouldn’t it be critical, as we deal with the questions of law enforcement and drug trafficking, to have the head of that, the Assistant Secretary, in position so that we could deal with those challenges?

So whatever view our colleague from Texas has about Nord Stream, and I happen to believe that on the substance he is right, but this procedure is wretchedly wrong because it puts us at risk in so, so many dimensions. And something will happen—something will happen somewhere in the world where we are not present because one Senator decided to hold up that nominee that would have made a difference.

We already saw it. We already saw it as we were trying to deal with challenges in our hemisphere and those that related to Afghanistan. Ridiculous.

So our colleague who is holding this all up—because these nominees overwhelmingly passed the Senate Foreign Relations Committee either unanimously—hear me—unanimously or with strong bipartisan votes. We just saw the cloture vote before—77.

We are leaving these positions unfilled. The position is untenable to continue to be able to meet the challenges the State Department has in fulfilling whose interest? The interests of the American people across the globe.

So it is time to get over that. We have only passed in this body two—two—of President Biden’s ambassadorial appointments—two. This administration has been in office 9 months.

If I were to look at the same time period with President Trump, we did far better. I didn’t agree with President Trump on a whole host of foreign policy decisions, but I understood that having people in place was critical, even when I disagreed with them philosophically. It was critical to promote the national interests and security of the United States.

So it is time to get over this. These positions would normally pass by voice, much less taking hours—hours, of which, by the way, the debate is not even about the nominees or their positions. It is about immigration and this and that and the other. The debate is not even about these critical national security positions.

I don't want to hear about people coming to the floor and talking about national security when they are leaving all these positions vacant.

Now, let me specifically address the nominees that we are voting on. I want to express my support for the nominations of Daniel Kritenbrink to be the Assistant Secretary of State for East Asia and the Pacific. Whoa. China.

Karen Donfried to be the Assistant Secretary of State for Europe and Eurasian Affairs. Oh, we are trying to have a strong transatlantic alliance. We are talking about Ukraine, Belarus.

Monica Medina to be the Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs—Scientific Affairs. Yeah, COVID.

Mary Catherine Phee to be the Assistant Secretary of State for African Affairs. We are having a huge challenge. I have been privileged to meet two of the African Presidents here in the last couple of days since they are here for U.N. Week. China is all over Africa. We need an Assistant Secretary who is engaged in the continent of Africa to be promoting the views of America's democracy, human rights, rule of law, investment, trade, and opportunity. We are nowhere there.

Todd Robinson to be the Assistant Secretary of State for International Narcotics and Law Enforcement. You know, I hear speeches about fentanyl; I agree. Wouldn't it be nice to have the Assistant Secretary of State to work hemispherically and beyond to make sure that we don't get more fentanyl into our country?

And Jessica Lewis to be the Assistant Secretary of State for Political-Military Affairs. If ever we needed someone who is engaged on the conduct of political and military affairs and how that faces national security challenges, it is now.

These are the people we are voting on. These are the people who overwhelmingly came out of the committee on either unanimous or bipartisan votes. These are superbly qualified nominees, and I have, if it is not obvious, a very deep frustration about them languishing on the floor for weeks—weeks—due to Republican holds. And I have a frustration that we have not been able to more precipitously move people to the committee to bring them to the floor.

We have close to 100 nominations for the State Department and USAID that are pending. That is a crisis number. These nominations include positions and ambassadorships to countries throughout Latin America and Africa: places where competition with China and Russia is real, where we need Ambassadors in place to project U.S. power, to assist and protect U.S. citizens, and to promote our companies.

We are less safe when our national security Agencies are so underwhelmed. We owe it to the Senate and the American people to fix this problem.

I am pleased to be supporting the nomination of Ambassador Daniel Kritenbrink to be Assistant Secretary of State for East Asia and Pacific Affairs. In recent years, and on a bipartisan basis, the United States has reassessed and rebalanced our approach to the Indo-Pacific to take into account the reality of our competitive relationship with China. So this is a region rich with pressing challenges from North Korea's nuclear and missile programs to a rollback in human rights and democracy across the region.

Ambassador Kritenbrink will be able to draw from decades of experience in the region to lead our efforts in this area.

Also pleased to be supporting Dr. Karen Donfried's nomination, which is a testament to the Biden administration's effort to rebuild the transatlantic relationship, which was significantly damaged by the last administration.

I know that Dr. Donfried's knowledge and experience—including previously as the Senior Director for European Affairs at the National Security Council—will serve the country well as we seek to renew that transatlantic relationship.

These are issues dealing with Russia, Turkey, Belarus, our support for Ukraine. I hear all the time in speeches about support for these countries. Wouldn't it be nice to have the person—forget about nice. Isn't it critical to have the person that can be promoting that view?

There is Monica Medina to be the Assistant Secretary for Oceans and International Environmental and Scientific Affairs. I am convinced that she is eminently qualified, including the time she spent as Principal Deputy Under Secretary of Oceans and Atmosphere at the Department of Commerce and in a broad variety of leadership roles focused on ocean conservation, environmental policy, and science.

Likewise, I am pleased to support Ambassador Mary Catherine Phee to be the Assistant Secretary of State for African Affairs. As I said, we have an enormous challenge on the African continent.

I support Todd Robinson to be a leader as the Assistant Secretary of State for the Bureau of International Narcotics and Law Enforcement Affairs. If we want to deal with the coyotes whom my colleague was talking about, let's put somebody in a position to go after them. I know this work is critical to our international efforts to combat narcotics, to deal with fentanyl, and to deal with the trafficking routes that extend through Mexico and all the way back to China.

Then there is Jessica Lewis, finally. It is with a mixture of deep pride and some sorrow that this body will consider the nomination of Ms. Lewis to be the next Assistant Secretary of State for the Bureau of Political-Military Affairs.

Almost 20 years ago, I hired Jessica for her first job on Capitol Hill as my

foreign policy adviser and staff director of the House Foreign Affairs Committee's Western Hemisphere Subcommittee, of which I was ranking member. After moving to the Senate and working for Senator Harry Reid for nearly a decade, she took up the staff director position of the Foreign Relations Committee. Throughout her tenure in all of these positions, Members, Senators, and staff on both sides of the aisle benefited from her deep knowledge of foreign policy, her leadership, and indeed her love for Congress itself, with all its nuanced rules and procedures.

Jessica is recognized across party lines as one of the most effective and trusted leaders on Capitol Hill. She is a trailblazer for women in national security. When approved by the Senate—and I have no doubt she will be—she will be the first woman confirmed to hold this position.

It would be impossible to catalogue all of her accomplishments, from getting countless bills passed through the committee and into law, supporting efforts to conduct serious oversight of the executive branch regardless of which party is in power, to striving to build a truly diverse staff of the Foreign Relations Committee. I have no doubt she will bring her commitment to mentorship, integrity, and public service to the State Department as well.

So we expect to see her, after she gets confirmed, back here answering questions and being part of this incredibly important job that she will be doing in bringing political and military affairs together.

I hope that we do not have to go through these 100 nominees, through 2-hour sessions of each nominee, in order to get them to start working for U.S. national security. That is what is at stake here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

#### COLLIERVILLE SHOOTING

Mrs. BLACKBURN. Mr. President, as I come to the floor today, I want to acknowledge that we have an active shooter situation in Collierville, TN, right outside of Memphis. We have spoken with authorities. We have worked with State and Federal authorities. We are aware that there are 13 individuals who have been shot. The shooter is dead. But we are very grateful for law enforcement that have stepped up in this situation and prayerful for those who have been adversely impacted and have been victims of this shooting situation.

Mr. President, I ask that I have permission to complete my remarks before the scheduled vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BUSINESS BEFORE THE SENATE

Mrs. BLACKBURN. Mr. President, this week, we have heard from many of my Democratic colleagues about the various ways that Republicans have